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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/670,381	09/26/2003	Yong Cheol Park	0465-1055P	2746

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BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER

CHOW, LIXI

ART UNIT	PAPER NUMBER
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2627

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	03/09/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 03/09/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

10/670,381

Applicant(s)

PARK ET AL.

Examiner

Lixi Chow

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 25-46 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 25-46 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No(s)/Mail Date ____.

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

1. Claims 25-46 are pending in this application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 25-46 rejected under 35 U.S.C. 102(e) as being anticipated by Takahashi (US 7,002,882).

Regarding claim 25:

Takahashi discloses a method for managing a defective area of a recording medium having a data area, a lead-in area and a lead-out area (see Fig. 5), comprising steps of:

detecting a defective unit during reproducing or recording operation (see Fig. 10 and col. 8, lines 56-59);

recording the data of the defective unit in a replacement unit (see Fig. 10); and

recording a defect management information in a defect management area, the defect management information including locator information, the locator information indicating positions of the defective unit and the replacement unit (see col. 2, lines 1-17).

Regarding claim 26:

Takahashi discloses the method as claimed in claim 25, further comprising:

recording an access pointer in the defect management area, the access pointer indicating position of the defect management information (see col. 2, lines 18-27).

Regarding claim 27:

Takahashi discloses the method as claimed in claim 26, wherein the defect management area includes a first part and a second part, and both the first and the second parts of the defect management area are assigned in the lead-in area respectively (see Fig. 5, DMA1 is the first part, and DMA2 is the second part).

Regarding claim 28:

Takahashi discloses the method as claimed in claim 27, wherein the replacement unit is included in a spare area, and the spare area is assigned in the data area (see Figs. 5 and 10).

Regarding claim 29:

Takahashi discloses the method as claimed in claim 26, wherein the defect management area includes a third part, and the third part of the defect management area is assigned in the data area (see col. 6, lines 61-64; the DMA reserved area is the third part).

Regarding claim 30:

Takahashi discloses the method as claimed in claim 28, wherein the spare area includes a third part of the defect management area (see col. 6, lines 61-64).

Regarding claim 31:

Takahashi discloses a method for managing a defective area of a recording medium having a data area, a lead-in area and a lead-out area (see Fig. 5), the method comprising:

detecting a defective unit during reproducing or recording operation (see Fig. 10 and col. 8, lines 56-59);

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recording the data of the defective unit in a replacement unit (see Fig. 10);

recording a defect entry in a defect management area, the defect entry including locator information indicating position of the defective area and the replacement area; and recording an access pointer in the defect management area, the access pointer indicating position of a defect management information including the defect entry (see col. 2, lines 4-27).

Regarding claim 32:

Takahashi discloses a method as claimed in claim 31, wherein the defect management area includes a first part and a second part, and both the first part and the second parts are assigned in the lead-in area respectively (see Fig. 5, DMA1 is the first part, and DMA2 is the second part).

Regarding claim 33:

Takahashi discloses the method as claimed in claim 32, wherein the defect management area includes a third part, and the third part of the defect management area is assigned in the data area (see col. 6, lines 61-64; the DMA reserved area is the third part).

Regarding claim 34:

Takahashi discloses the method as claimed in claim 31, wherein the replacement unit is included in a spare area, and the spare area is assigned in the data area (see Figs. 5 and 10).

Regarding claim 35:

Takahashi discloses the method as claimed in claim 34, wherein the spare area includes a third part of the defect management area (see col. 6, lines 61-64).

Regarding claim 36:

Takahashi discloses a recording medium comprising:

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a data area including a spare area, the spare area including a replacement area;

a lead-in area;

and a defect management area, the defect management area including a first part and a second part, the first part of the defect management area being located in the lead-in area (see Fig. 5, DMA1 is the first part, and reserved area is the second part).

Regarding claim 37:

Takahashi discloses the recording medium as claimed in claim 36, wherein the second part of the defect management area is assigned in the lead-in area, and the first part and the second part of the defect management area are assigned separately (see Fig. 5).

Regarding claim 38:

Takahashi discloses the recording medium as claimed in claim 36, wherein the second part of the defect management area is assigned in the data area, and the second part of the defect management area includes at least one sub defect management area (see col. 6, lines 58-61).

Regarding claim 39:

Takahashi discloses the recording medium as claimed in claim 37, wherein the defect management area include a third part, and the third part of the defect management area is assigned in the spare area (see col. 6, lines 61-64).

Regarding claim 40:

Takahashi discloses the recording medium as claimed in claim 38, wherein the defect management area includes a third part, and the third part of the defect management area is assigned in the spare area (see col. 6, lines 61-64).

Regarding claim 41:

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Takahashi discloses a method for managing a defect unit of a recording medium having a data area, a lead-in area and a lead-out area, the method comprising:

detecting a defective unit during reproducing or recording operation (see Fig. 10 and col. 8, lines 56-59);

recording the data of the defective unit in a spare (see Fig. 10); and

recording a defect management information in the defect management area, the defect management area including a first part and a second part, the time for using the first part being different from the time for using the second part (see col. 2, lines 1-17, and col. 6, lines 55-64).

Regarding claim 42:

Takahashi discloses the method as claimed in claim 41, wherein the first part and the second part of the defect management area are assigned in the lead-in area separately (see Fig. 5).

Regarding claim 43:

Takahashi discloses the method as claimed in claim 43, wherein the first part of the defect management area is assigned in the lead-in area and the second part of the defect management area is assigned in the spare area (see Fig. 5, and col. 6, lines 61-64).

Regarding claims 44-46:

Claims 44-46 recite similar limitations as in claims 41-43; hence, claims 44-46 are rejected under the same reasons set forth in claims 41-43.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Ito et al. (US 2001/0043525) is cited, because Ito et al. discloses a method for managing defective data unit in an optical recording medium. .

Ohata et al. (US 2002/0159382) is cited, because Ohata et al. teaches an rewritable optical disk having plurality of defect management areas.

Ko et al. (US 2002/0097666) is cited, because Ko et al. discloses a recording medium having a spare area for defect management.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lixi Chow whose telephone number is 571-272-7571. The examiner can normally be reached on Mon-Fri, 8:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on 571-272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LC 3/5/07



WAYNE YOUNG
SUPERVISORY PATENT EXAMINER